

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Frank Benabise

**SUMMONS IN A CIVIL CASE****V.**

CASE NUMBER:

Novartis Pharmaceuticals Corporation

**07 CV 2963**

TO: (Name and address of defendant)

Novartis Pharmaceuticals Corporation  
One Health Plaza  
East Hanover, New Jersey 07936-1080

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP  
521 Fifth Avenue, 34th Floor  
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

(BY) DEPUTY CLERK

APR 12 2007

AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUBPOENA IN A CIVIL CASE, COMPLAINT AND JURY DEMAND**  
EFFECTED (1) BY ME: **PASCAL KUVALAKIS**  
TITLE: **PROCESS SERVER**

DATE: 04/18/2007 02:45PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

NOVARTIS PHARMACEUTICALS CORP.

SR

Place where served:

ONE HEALTH PLAZA EAST HANOVER TWP. NJ 07936

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

MAT GARRISON ESQ.

Relationship to defendant: ATTORNEY

Description of person accepting service:

SEX: M AGE: 36-50 HEIGHT: OVER 6' WEIGHT: 161-200 LBS. SKIN: WHITE HAIR: BLACK OTHER:

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$

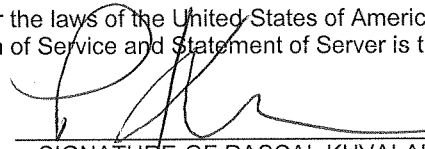
SERVICES \$

TOTAL \$

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/18/07

  
L.S.  
SIGNATURE OF PASCAL KUVALAKIS  
GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

ATTORNEY: RUSSEL H. BEATIE, ESQ.  
PLAINTIFF: FRANK BENABISE  
DEFENDANT: NOVARTIS PHARMACEUTICALS CORP.  
VENUE: DISTRICT OF NY  
DOCKET: 07 CV 2963

04/18/07  
JSU006y

JANIRA SANTIAGO-VELEZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires April 24, 2007

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.